

REMARKS

Claims 1-4, 6, 8-11 and 13-25 are pending in this application. For the reasons set forth below, Applicants believe that the rejection should be withdrawn and that all currently pending claims are in condition for allowance.

REJECTION OF CLAIMS 1-4, 6, 8-11 AND 13-25 UNDER 35 U.S.C. 103(a)

The Examiner rejected Claims 1-4, 6, 8-11 and 13-25 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,800,623 to Brockhaus ("Brockhaus") in view U.S. Patent 4,938,496 to Thomas *et al.* ("Thomas"). As discussed below, this rejection is respectfully traversed.

Claims 1 and 2

Claims 1 and 2 require a first hinge leaf connected to a second hinge leaf by a pivot pin, the pivot pin being immovably mounted in one hinge leaf and *being rotatably mounted in, and being axially withdrawable from, the other hinge leaf.* (*emphasis added*). As defined, the pivot pin must be both rotatably mounted in and axially withdrawable from the same hinge leaf. The Examiner alleged that Brockhaus disclosed this claimed functionality.

Brockhaus discloses an automotive door hinge assembly with a removable hinge wing. As illustrated in Figures 1 and 9, hinge pin 2 is rotatably mounted in hinge leaf 1, without being able to be axially withdrawn, and hinge pin 2 is axially withdrawable from the other hinge leaf 3, but is not rotatable relative to hinge leaf 3. (*See also*, col. 6, ll. 34-41).

It would be contrary to the teachings of Brockhaus to make hinge pin 2 rotatable in hinge leaf 3, because it would render redundant the bushing arrangement in hinge leaf 1. Brockhaus describes a solution to the problem of removably fixing a hinge leaf to a hinge pin which is rotatably supported in another hinge leaf. Brockhaus does not disclose or suggest a hinge pin being both rotatably mounted in and axially withdrawable from the same hinge leaf, as required by Claims 1 and 2.

Claims 1 and 2 require *hinge pin engagement means movably mounted on said other hinge leaf for movement between first and second positions*, the engagement means including a spherical surface of a given radius seated in an annular groove of a curved section, the

curved section having a radius of curvature the same as said given radius so as to *permit rotation of the hinge pin but prevent any axial movement of the hinge pin relative to said other hinge leaf, and in its second position being spaced from the hinge pin to permit its axial withdrawal from said other hinge leaf.* (emphasis added). As defined, the hinge pin engagement means of the hinge pin retention means is movable between first and second positions, the engagement means in its first position acting to prevent axial withdrawal of the hinge pin from the hinge leaf, and in its second position being spaced from the hinge pin to permit axial withdrawal of the hinge pin from the hinge leaf. The Examiner alleged that Thomas disclosed this claimed functionality.

Thomas discloses a ball hitch connector for use with a conventional ball hitch socket used for towing a vehicle. As illustrated in Figure 1, upon alignment of the bores 15, 30 the latch pin 50 is inserted so that the pin 50 acts against the force of the spring 27 to push the ball 25 up into the longitudinal bore 23 until the groove 52 aligns with the ball 25 and the ball 25 then seats within the groove 52 to lock the latch pin 50 in position. (See also, Col. 4, ll. 30-35). Manual pressure can release the pin 50 from the locked position. (Col. 4, ll. 35-36). Thomas teaches a configuration wherein it is easy to remove the spherical body 12, because the ball 25 provides little resistance against axial withdrawal of pin 50.

Thomas does not disclose or suggest an engagement means movable between first and second positions, wherein the engagement means in its first position acts to prevent axial withdrawal of the hinge pin from the hinge leaf, and in its second position being spaced from the hinge pin to permit axial withdrawal of the hinge pin from the hinge leaf, as required by Claims 1 and 2.

There is no reason to combine Brockhaus and Thomas as alleged by the Examiner. The Examiner alleged that it would have been obvious to replace the bracing pin 32 of Brockhaus with the ball catch arrangement 25 of Thomas. The purpose of the bracing pin in Brockhaus is to fix the leaf to the pin to prevent axial and rotary movement of the leaf on the pin. The purpose of ball catch arrangement in Thomas is to permit axial withdrawal of the pin. Because the purpose of the bracing pin of Brockhaus and the ball catch arrangement of Thomas are inconsistent, the references teach away from each other.

In addition, the references are directed to different types of devices. Brockhaus is directed to a door hinge assembly and Thomas is directed to a vehicle hitch assembly. There is no reason that a person of ordinary skill in the art would combine a door hinge assembly and a vehicle hitch assembly.

There is no explanation given in the Office action for why a person of ordinary skill in the art at the time of invention would have modified the hinge pin of Brockhaus to be rotatably received in hinge leaf 3, which is directly contrary to the teachings of Brockhaus. There is also no explanation given as to why a person of ordinary skill in the art would have modified the ball catch arrangement taught by Thomas in a manner to to prevent axial withdrawal of the pin, which is directly contrary to the teachings of Thomas. A person of ordinary skill in the art at the time of invention would not have been lead to combine the teachings of Brockhaus and Thomas in the manner alleged by the Examiner since doing so would be contrary to the explicit teachings of the references. Moreover, even if Brockhaus and Thomas are combined, the combination does not render obvious all features or elements of Claims 1 and 2. Accordingly, Claims 1 and 2 are patentable over Brockhaus and Thomas.

Claims 3, 4, 6, 8-11 and 13-25

Claims 20 and 24 ultimately depend from Claim 1 and Claims 3, 4, 6, 8-11, 13-19, 21-23 and 25 ultimately depend from Claim 2. Accordingly, for at least the same reasons discussed above, Claims 3, 4, 6, 8-11 and 13-25 are patentable over Brockhaus and Thomas.

CONCLUSION

Applicant respectfully requests reconsideration of the present application in view of the foregoing remarks. If there are any issues that can be resolved via a telephone conference, the Examiner is invited to contact the undersigned at 404.685.6799. No fees are believed due, however, the Commissioner is hereby authorized to charge any additional fees that may be due or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

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